

# SENATE BILL 697

R2

2lr1550

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By: **Senators Pipkin, Brinkley, Getty, and Shank**

Introduced and read first time: February 3, 2012

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Department of Transportation – Office of the Inspector General**

3 FOR the purpose of establishing the Office of the Inspector General in the State  
4 Department of Transportation; providing for the authority, duties, and powers  
5 of the Office; specifying that the Inspector General be hired and appointed by  
6 the Office of the Attorney General and be subject to the authority of the Office of  
7 the Attorney General and the Department of Transportation; and generally  
8 relating to the Office of the Inspector General in the State Department of  
9 Transportation.

10 BY adding to

11 Article – Transportation  
12 Section 2–501 through 2–504 and the new subtitle “Subtitle 5. Office of the  
13 Inspector General”  
14 Annotated Code of Maryland  
15 (2008 Replacement Volume and 2011 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Transportation**

19 **SUBTITLE 5. OFFICE OF THE INSPECTOR GENERAL.**

20 **2–501.**

21 **THERE IS AN OFFICE OF THE INSPECTOR GENERAL IN THE**  
22 **DEPARTMENT.**

23 **2–502.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **THE INSPECTOR GENERAL:**

2                   (1) SHALL BE HIRED AND APPOINTED BY THE OFFICE OF THE  
3 ATTORNEY GENERAL; AND

4                   (2) IS SUBJECT TO THE JOINT AUTHORITY OF THE OFFICE OF THE  
5 ATTORNEY GENERAL AND THE DEPARTMENT.

6           **2-503.**

7           **THE INSPECTOR GENERAL:**

8                   (1) MAY INVESTIGATE FRAUD, WASTE, AND ABUSE OF FUNDS IN  
9 THE DEPARTMENT;

10                   (2) SHALL COORDINATE INVESTIGATIVE EFFORTS WITHIN THE  
11 DEPARTMENT AND COOPERATE WITH INVESTIGATIONS BY OTHER UNITS OF  
12 STATE GOVERNMENT OR FEDERAL AGENCIES AND, IF A PRELIMINARY  
13 INVESTIGATION OF FRAUD, WASTE, AND ABUSE OF FUNDS ESTABLISHES A  
14 SUFFICIENT BASIS TO WARRANT REFERRAL, REFER THE MATTER TO  
15 APPROPRIATE STATE OR FEDERAL ENFORCEMENT OFFICIALS; AND

16                   (3) IN CARRYING OUT THE DUTIES UNDER ITEMS (1) AND (2) OF  
17 THIS SECTION, SHALL TAKE STEPS TO ENSURE THAT A PERSON SUBJECT TO THE  
18 JURISDICTION OF THE DEPARTMENT IS NOT SUBJECT TO DUPLICATIVE AUDITS.

19           **2-504.**

20           **THE INSPECTOR GENERAL, IN COLLABORATION WITH THE APPROPRIATE**  
21 **AUTHORITY WITHIN THE DEPARTMENT, MAY TAKE NECESSARY STEPS TO**  
22 **RECOVER:**

23                   (1) FUNDS MISTAKENLY OR FRAUDULENTLY PAID BY OR  
24 OBTAINED FROM THE DEPARTMENT OR A PERSON SUBJECT TO THE  
25 JURISDICTION OF THE DEPARTMENT; AND

26                   (2) ANY COSTS INCURRED IN RECOVERING THE FUNDS  
27 DESCRIBED IN ITEM (1) OF THIS SECTION.

28           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 October 1, 2012.